

United States Bankruptcy Court for the:

District of North Dakota

Case number (if known): _____

Chapter you are filing under:

- ☐ Chapter 7
☒ Chapter 11
☐ Chapter 12
☐ Chapter 13

☐ Check if this is an
amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

06/22

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name The Fargo Brewing Company, LLC

2. All other names debtor used
in the last 8 years

Include any assumed names,
trade names, and *doing business*
as names

3. Debtor's federal Employer
Identification Number (EIN) 27-3016021

4. Debtor's address

Principal place of business

610 N. University Drive, #104

Number Street

Fargo ND 58102

City State ZIP Code

Cass County

County

Mailing address, if different from principal place
of business

Number Street

P.O. Box

City State ZIP Code

Location of principal assets, if different from
principal place of business

Number Street

City State ZIP Code

5. Debtor's website (URL) <https://www.fargobrewing.com/>

6. Type of debtor

- ☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
☐ Partnership (excluding LLP)
☐ Other. Specify: _____

Debtor The Fargo Brewing Company, LLC Case number (if known) _____
 Name _____

7. Describe debtor's business

A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
☐ Railroad (as defined in 11 U.S.C. § 101(44))
☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
☒ None of the above

B. Check all that apply:

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.
 See <http://www.naics.com/search/>.

312120

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- ☐ Chapter 7
☐ Chapter 9
☒ Chapter 11. Check **all** that apply:

A debtor who is a "small business debtor" must check the first sub-box. A debtor as defined in § 1182(1) who elects to proceed under subchapter V of chapter 11 (whether or not the debtor is a "small business debtor") must check the second sub-box.

- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$3,024,725. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☒ The debtor is a debtor as defined in 11 U.S.C. § 1182(1), its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, **and it chooses to proceed under Subchapter V of Chapter 11**. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

☒ No

☐ Yes. District _____ When _____ Case number _____
 MM / DD / YYYY
 District _____ When _____ Case number _____
 MM / DD / YYYY

If more than 2 cases, attach a separate list.

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

☒ No

☐ Yes. Debtor _____ Relationship _____
 District _____ When _____
 MM / DD / YYYY
 Case number, if known _____

List all cases. If more than 1, attach a separate list.

Debtor The Fargo Brewing Company, LLC Case number (if known) _____
Name

11. Why is the case filed in *this* district?

Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

- ☐ No
- ☒ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

- ☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.
What is the hazard? _____
- ☐ It needs to be physically secured or protected from the weather.
- ☒ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).
- ☐ Other _____

Where is the property? 610 North University Drive

Number Street

Fargo

City

ND

State

58102

ZIP Code

Is the property insured?

- ☐ No
- ☒ Yes. Insurance agency Employers Mutual Casualty Company

Contact name First International Ins. Agency

Phone 800-798-3630

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

14. Estimated number of creditors

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> 1-49 | <input type="checkbox"/> 1,000-5,000 | <input type="checkbox"/> 25,001-50,000 |
| <input type="checkbox"/> 50-99 | <input type="checkbox"/> 5,001-10,000 | <input type="checkbox"/> 50,001-100,000 |
| <input type="checkbox"/> 100-199 | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> More than 100,000 |
| <input type="checkbox"/> 200-999 | | |

15. Estimated assets

- | | | |
|---|--|--|
| <input type="checkbox"/> \$0-\$50,000 | <input type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input checked="" type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

Debtor The Fargo Brewing Company, LLC Case number (if known) _____
Name

16. Estimated liabilities
- | | | |
|--|--|--|
| <input type="checkbox"/> \$0-\$50,000 | <input checked="" type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17. Declaration and signature of authorized representative of debtor

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 04/15/2024
MM / DD / YYYY

X /s/ Jared Hardy
Signature of authorized representative of debtor
Title President

Jared Hardy
Printed name

18. Signature of attorney

X /s/ Caren Stanley
Signature of attorney for debtor

Date 04/15/2024
MM / DD / YYYY

Caren Stanley
Printed name

Vogel Law Firm
Firm name

218 NP Ave. PO Box 1389
Number Street

Fargo ND 58107-1389
City State ZIP Code

701-237-6983 cstanley@vogellaw.com
Contact phone Email address

06100 ND
Bar number State

Fill in this information to identify the case:

Debtor name The Fargo Brewing Company, LLC

United States Bankruptcy Court for the: District of North Dakota

Case number (If known): _____

☐ Check if this is an amended filing

Official Form 204

Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an *insider*, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

	Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
					Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
1	First Western Bank & Trust 825 26th Ave. East West Fargo, ND, 58078		Unsecured Loan Repayments				1,245,725.43
2	Class B Development, LLC 3155 Bluestem Dr, Unit #204 West Fargo, ND, 58078		Rent				234,458.88
3	First Western Bank & Trust 825 26th Ave. East West Fargo, ND, 58078		Monies Loaned / Advanced				154,289.58
4	U.S. Small Business Administration 10737 Gateway West, #300 El Paso, TX, 79935		EIDLE Loan - Unsecured Portion				146,095.24
5	Jade Presents 302 N University Dr. Fargo, ND, 58102						114,498.68
6	North Dakota Office of State Tax Commissioner 600 E Boulevard Ave, Dept 127 Bismarck, ND, 58505-0552		Taxes & Other Government Units				39,304.44
7	Berlin Packaging PO Box 74007164 Chicago, IL, 60674-7164						35,885.06
8	Elan Financial Services P.O. Box 6335 Fargo, ND, 58125-6335		Credit Card Debt				31,478.18

Debtor The Fargo Brewing Company, LLC

Case number (if known)

Name

	Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
					Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
9	First Western Bank & Trust 825 26th Ave, East. West Fargo, ND, 58078		Overdrawn Bank Account				27,736.25
10	Great Western Malting Co PO Box 51602 Los Angeles, CA, 90051-5902		Suppliers or Vendors				22,269.03
11	Northern Plains Label 16 16th St S PO Box 9495 Fargo, ND, 58106-9495		Suppliers or Vendors				19,482.63
12	Country Malt-Mid Country PO Box 51602 Los Angeles, CA, 90051-5902		Suppliers or Vendors				18,393.09
13	Indie Hops 1705 NW Harborside Dr Vancouver, WA, 98660		Suppliers or Vendors				11,063.99
14	American Express PO Box 981535 El Paso, TX, 79998-1535		Credit Card Debt				10,848.93
15	Eide Balley 4321 20th Ave S Fargo, ND, 58103		Services				3,300.00
16	Brave Creative Studio 3732 Burritt St S. Fargo, ND, 58104		Suppliers or Vendors				3,120.00
17	Heartland Trust Company 1202 27th St S PO Box 9135 Fargo, ND, 58106-9135		2023 and 2024 Annual Fees				3,100.00
18	WestRock 4637 16th Ave N Fargo, ND, 58102		Suppliers or Vendors				2,712.58
19	EMC Insurance Companies PO Box 712 Des Moines, IA, 50306-0712		Insurance				2,574.50
20	Scott Laboratories 1480 Cader Lane Petaluma, CA, 94954		Suppliers or Vendors				2,453.69

(4/14)

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NORTH DAKOTA**

In Re: The Fargo Brewing Company, LLC, Debtor(s).	Case No. Chapter 11, Subchapter V
Plaintiff(s), -vs- Defendant(s).	Adv. No.

CORPORATE OWNERSHIP STATEMENT

Pursuant to Fed. R. Bankr. P. 1007(a)(1) and 7007.1, the undersigned corporation The Fargo Brewing Company, LLC (name of corporation) certifies that:

1. X the following is a complete and accurate list of corporation(s) that directly or indirectly own(s) 10% or more of any class of its equity interests:

> Horizon Investments, LLC

OR

2. _____ there are no entities to report under Fed. R. Bankr. P. 1007(a)(1) or 7007.1.

The undersigned corporation further acknowledges its duty to file a supplemental statement promptly upon any change in circumstances that renders this Corporate Ownership Statement inaccurate.

Date: 04/15/24

The Fargo Brewing Copmany, LLC

Name of Corporation

By: /s/ Jared Hardy

Its: Jared Hardy, President

A-1 Sewer & Drain, LLC
PO Box 642
Fargo, ND 58102

Class B Development, LLC
3155 Bluestem Dr, Unit #204
West Fargo, ND 58078

Aaron Hill
1354 3rd St. No.
Fargo
ND 58102

Class B Development, LLC
1500 Bluestem Dr., Unit 204
West Fargo, ND 58078

ABV Technology
1435 Energy Park Drive
Saint Paul, MN 55108

Country Malt Group
P.O. Box 51602
Los Angeles, CA 90051-5902

American Express
PO Box 981535
El Paso, TX 79998-1535

Country Malt-Mid Country
PO Box 51602
Los Angeles, CA 90051-5902

Bergseth Brothers Supplier
1211 47th St. N.
Fargo, ND 58102

Dacotah Refrigeration
4322 15th Ave N
Fargo, ND 58102

Berlin Packaging
PO Box 74007164
Chicago, IL 60674-7164

Dahlheimer Beverage LLC
3360 Chelsea Road W
Monticello, MN 55362

Beverage Wholesalers, Inc.
701 4th Ave N
Fargo, ND 58102

Diversey Inc
PO Box 7410350
Chicago, IL 60674-0350

Braun Distributing
153 26th Street East
Dickinson, ND 58601

Ecolab
PO Box 70343
Chicago, IL 60673

Brave Creative Studio
3732 Burritt St S.
Fargo, ND 58104

Eide Balley
4321 20th Ave S
Fargo, ND 58103

Brewing Buddies LLC
2920 6th St. East
West Fargo
ND 58078

Ekos Software, Inc.
2520 N Brevard St., Suite 200
Charlotte, NC 28205

Broadcast Music Inc.
10 Music Square East
Nashville, TN 37203-4399

Elan Financial Services
P.O. Box 6335
Fargo, ND 58125-6335

Chris Anderson
707 Dickinson
Missoula
MT 59802

Ellwein Brothers, Inc.
655 18th St. SW
Huron, SD 57350

EMC Insurance Companies
PO Box 712
Des Moines, IA 50306-0712

Jade Nielsen
4880 38th Ave. South
Fargo, ND 58104

Fargo Moorhead West Fargo Chamber of Commerce
3312 42 St S, Suite 101
Fargo, ND 58104

Jade Presents
302 N University Dr.
Fargo, ND 58102

Financial Pacific Leasing
3455 S 344th Way, Suite 300
Auburn, WA 98001

James Burgum
2494 Rivers Bend Drive E
West Fargo, ND 58078

First Western Bank & Trust
825 26th Ave. East.
West Fargo, ND 58078

Jared Hardy
7841 Eagle Pointe Dr. So.
Fargo
ND 58104

First Western Bank & Trust
825 26th Ave. East
West Fargo, ND 58078

JDP Automation Incorporated
824 Page Dr
Fargo, ND 58103

Forum Communications Printing
4601 16th Ave N
Fargo, ND 58102

Jeff Fellman
4809 Meadow Creek
Fargo
ND 58104

Great Western Malting Co
PO Box 51602
Los Angeles, CA 90051-5902

Jerome Beverages, Inc.
620 South Roosevelt Ave
Pierre, SD 57501

Heartland Trust Company
1202 27th St S
PO Box 9135
Fargo, ND 58106-9135

Joel Kangas
3924 22nd St. So.,
Fargo
ND 58103

Horizon Investments, LLC, ATTN: James Burgum
2494 Rivers Bend Dr. E.
West Fargo
ND 58078

John Anderson
2830 15th St., Unit E
Fargo
ND 58103

Indie Hops
1705 NW Harborside Dr
Vancouver, WA 98660

John Baker, District Counsel
SBA Denver Colorado District Office
721 19th Street, #426
Denver, CO

Internal Revenue Service
PO Box 7346
Philadelphia, PA 19101-7346

John Baker, District Counsel
SBA Denver Colorado District Office
721 19th Street, #426
Denver, CO 80202

Jade Neilsen
302 N. University Drive
Fargo
ND 58102

Kent Rockstad, Office of the U.S. Attorney
Quentin N. Burdick U.S. Courthouse
655 First Ave. N., Suite 250
Fargo, ND 58102-4932

Penske Truck Leasing Co., L.P.
P.O. Box 827380
Philadelphia, PA

Linde Gas & Equipment
2301 E Creekview Drive
Ankeny, IA 50021

Personal Touch
2600 24th Ave S
Moorhead, MN 56560

Magic City Beverage Co.
3025 Burdick Expressway East
Minot, ND 58701

Randall Klemisch
314 Venture Blvd. So.
Leander
TX 78645

Maltwerks, Inc.
1448 Cormorant Ave
Detroit Lakes, MN 56501

Randall Peterson
3619 20th St. So.
Fargo
ND 58104

McKinnon Company Inc.
1002 South 48th St
Grand Forks, ND 58201

Richard P. Olson
Olson and Burns, P.C.
P.O. Box 1180
Minot, ND 58702-1180

McQuade Distributing Co., Inc.
1150 Industrial Drive
Bismarck, ND 58502

S&S Promotional Group
3242 4th Ave S
Fargo, ND 58103

Nocturnal Resources, LLC
513 14th St N
Fargo, ND 58102

Scott Laboratories
1480 Cader Lane
Petaluma, CA 94954

North Dakota Office of State Tax Commissioner
600 E Boulevard Ave, Dept 127
Bismarck, ND 58505-0552

Scott Laboratories, Inc.
Accounts Receivable
PO Box 888198
Los Angeles, CA 90088-8198

North Dakota Workforce Safety & Insurance
1600 E Century Ave, Suite 1
Bismarck, ND 58506-5585

Springfield Group Angel Fund
1309 2nd Street North
Fargo
ND 58102

Northern Plains Label
16 16th St S
PO Box 9495
Fargo, ND 58106-9495

Todd Neils
1451 71st Ave. So.
Fargo
ND 58102

Patrick Novak
14866 50th St. NE
Saint Michael
MN 55376

TSYS Merchant Solutions, LLC (ARRYVED)
12202 Airport Way, Suite 100
Broomfield, CO 80021

Penske Truck Leasing Co. L.P.
PO Box 827380
Philadelphia, PA 19182-7380

U.S. Small Business Administration
10737 Gateway West, #300
El Paso, TX 79935

US Bank Equipment Finance
PO Box 790448
St. Louis, MO 63179-0448

Vicky Hardy
1186 Eagle Park Dr. So.
Fargo
ND 58104

Weber Scientific
2732 Kuser Road
Trenton, NJ 08691

WestRock
4637 16th Ave N
Fargo, ND 58102

United States Bankruptcy Court
District of North Dakota

In re: The Fargo Brewing Company, LLC

Case No.

Chapter 11

Debtor(s)

Verification of Creditor Matrix

The above-named Debtor(s) hereby verify that the attached list of creditors is true and correct to the best of their knowledge.

Date: 04/15/2024

/s/ Jared Hardy

Signature of Individual signing on behalf of debtor

President

Position or relationship to debtor